

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

IN RE:) Chapter 7
)
Raymond J. Haun) Case No. 20-60554
Barbara L. Haun)
)
Debtors) Judge Russ Kendig

**DEBTORS' MOTION TO EXCUSE PRE-DISCHARGE FINANCIAL
MANAGEMENT COUNSELING FOR DECEASED DEBTOR**

1. Now come Debtors, through counsel, and request this Court enter an order excusing the requirement for the pre-discharge financial management counseling certificate to be filed for Debtor Husband, who is now deceased.
2. The Chapter 7 Bankruptcy was filed on March 23, 2020, and Debtor husband passed away on April 1, 2020.
3. The Bankruptcy Code allows the court to “issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title.”
11 U.S.C. §105(a).
4. This provision allows the court to issue rulings to prevent an abuse of process so as to coincide with the congressional intent, when such sections were written.
5. The requirements of the pre-discharge financial management counseling should not apply to a debtor who is “unable to complete those requirements because of incapacity, disability, or active military duty in a military combat zone.”
11 U.S.C. §109(h)(4).
6. Such a case exists here, where Debtor husband is unable to complete the requirements due to incapacity and disability.
7. Debtor husband passed away nine days after the case was filed.

8. The purpose of imposing financial management counseling requirement is to aid debtor in their financial choices after the bankruptcy is discharged.
9. Due to the fact that the Debtor husband is now deceased, the purpose for completing the financial management course is void.

WHEREFORE, Debtors pray for an order excusing the financial management counseling certificate requirement for deceased Debtor husband.

Respectfully submitted,

/s/ Debra E. Booher
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically transmitted on or about this 22nd day of April, 2020 via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice List:

Office of US Trustee (via ECF) at (registered address @usdoj.gov)
Anne Piero Silagy, Trustee (via ECF) at asilagycourt@neo.rr.com

I further hereby certify that a copy of the foregoing was mailed on or about this 22nd day of April, 2020 by regular U.S. Mail postage prepaid, upon the following parties in interest unless otherwise noted:

Barbara L. Haun
Debtor
3035 Union Avenue SE
Minerva, OH 44657

Alliance Medical Associates
P.O. Box 14000
Belfast, ME 04915-4033

Aultman Hospital
P.O. Box 80868
Canton, OH 44708-0868

Bayless-Pathmark, Inc.
P.O. Box 480
Marietta, OH 45750-0480

Clinicians in Infectious Diseases
128 Wertz Avenue NW, STE C
Canton, OH 44708-4196

Figi's Gallery
P.O. Box 77001
Madison, WI 53707-1001

First National Bank of Omaha/Shopko
Attn: Bankruptcy Department
P.O. Box 2490
Omaha, NE 68103-2490

First National Bank of Omaha/Shopko
c/o Financial Recovery Services
P.O. Box 385908
Minneapolis, MN 55438-5908

Ford Service Card
P.O. Box 9001006
Louisville, KY 40290-1006

Huntington
P.O. Box 182387
Columbus, OH 43218-2387

Huntington National Bank
P.O. Box 182519
Columbus, OH 43218-2519

Internal Medicine Physicians
P.O. Box 14000
Belfast, ME 04915-4033

Internal Medicine Physicians
c/o Fidelity National Collections
P.O. Box 94587
Cleveland, OH 44101-4587

Mariner Finance
P.O. Box 44490
Baltimore, MD 21236-6490

Ohio Anesthesia Group
Dept. 781589
P.O. Box 78000
Detroit, MI 48278-0001

Paragon Heart Group
2565 S. Union Avenue
Alliance, OH 44601-5058

PRA Receivables Management, LLC
P.O. Box 41021
Norfolk, VA 23541-1021

Publishers Clearing House
P.O. Box 6344
Harlan, IA 51593-1844

Radiology Associates of Canton
P.O. Box 782071
Philadelphia, PA 19178-2071

Radiology Associates of Canton
c/o Business Revenue Systems
P.O. Box 579
Burlington, IA 52601-0579

Stark County Women's Clinic
4347 Portage Street SW, STE 102
North Canton, OH 44720-7371

Surgery Alliance
975 Sawburg Avenue
Alliance, OH 44601-3515

/s/ Debra E. Booher
Debra E. Booher (#0067804)